

106TH CONGRESS  
2D SESSION

# H. R. 2267

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## AN ACT

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes.



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## AN ACT

To amend the National Trails System Act to clarify Federal authority relating to land acquisition from willing sellers for the majority of the trails, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Willing Seller Amend-  
3 ments of 2000 to the National Trails System Act”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) In spite of commendable efforts by the gov-  
7 ernments of States and political subdivisions of  
8 States and private volunteer trail groups to develop,  
9 operate, and maintain the national scenic and na-  
10 tional historic trails (referred to in this Act as the  
11 “trails”), the rate of progress towards developing  
12 and completing the trails is slower than anticipated.

13 (2) Nine national scenic and historic trails were  
14 authorized by Congress between 1978 and 1986 with  
15 restrictions totally excluding Federal authority for  
16 land acquisition. To complete these trails as in-  
17 tended by Congress, acquisition authority to secure  
18 necessary rights-of-way and historic sites and seg-  
19 ments, limited to acquisition from willing sellers  
20 only, and specifically excluding condemnation, should  
21 be extended to the Secretary administering those  
22 trails.

23 **SEC. 3. SENSE OF THE CONGRESS.**

24 It is the sense of the Congress that in order to ad-  
25 dress the problems involving multijurisdictional authority

1 over the national trails system, the head of each Federal  
 2 agency with jurisdiction over an individual trail should—

3 (1) cooperate with appropriate officials of  
 4 States and political subdivisions of States and pri-  
 5 vate persons with an interest in the trails to pursue  
 6 the development of the trails; and

7 (2) be granted sufficient authority to purchase  
 8 lands from willing sellers that are critical to the  
 9 completion of the trails.

10 **SEC. 4. INTENT.**

11 It is the intent of Congress that lands or interests  
 12 in lands for the nine components of the National Trails  
 13 System affected by this Act shall only be acquired by the  
 14 Federal Government from willing sellers.

15 **SEC. 5. AMENDMENTS TO THE NATIONAL TRAILS SYSTEM**  
 16 **ACT.**

17 The National Trails System Act (16 U.S.C. 1241 et  
 18 seq.) is amended—

19 (1) in section 5(a)—

20 (A) in the fourth sentence of paragraph

21 (11)—

22 (i) by striking “No lands or interest  
 23 therein outside the exterior” and inserting  
 24 “No lands or interest in lands outside of  
 25 the exterior”; and

1 (ii) by inserting before the period the  
2 following: “without the consent of the  
3 owner of the land or interest”; and

4 (B) in the fourth sentence of paragraph  
5 (14)—

6 (i) by striking “No lands or interests  
7 therein outside the exterior” and inserting  
8 “No land or interest in land outside of the  
9 exterior”; and

10 (ii) by inserting before the period the  
11 following: “without the consent of the  
12 owner of the land or interest”; and

13 (2) in section 10(c), by striking paragraph (1)  
14 and inserting the following new paragraph:

15 “(c)(1) Notwithstanding any other provision of law  
16 (including any other provision of this Act), no funds may  
17 be expended by the Federal Government for the acquisi-  
18 tion of any land or interest in land outside of the exterior  
19 boundaries of existing Federal lands for the Continental  
20 Divide National Scenic Trail, the North Country National  
21 Scenic Trail, the Ice Age National Scenic Trail, the Poto-  
22 mac Heritage National Scenic Trail, the Oregon National  
23 Historic Trail, the Mormon Pioneer National Historic  
24 Trail, the Nez Perce National Historic Trail, the Lewis  
25 and Clark National Historic Trail, or the Iditarod Na-

1 tional Historic Trail, except with the consent of the owner  
2 of the land or interest. If the Federal Government fails  
3 to make payment in accordance with a contract for sale  
4 of land or an interest in land transferred under this para-  
5 graph, the seller may avail himself of all remedies available  
6 under all applicable law, including electing to void the  
7 sale.”.

Passed the House of Representatives September 26,  
2000.

Attest:

*Clerk.*